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RUEHTA/AMEMBASSY ASTANA 9961  
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RUEHLM/AMEMBASSY COLOMBO 0220  
RUEHDK/AMEMBASSY DAKAR 0090  
RUEHDBU/AMEMBASSY DUSHANBE 0243  
RUEHIL/AMEMBASSY ISLAMABAD 3949  
RUEHBUL/AMEMBASSY KABUL 2217  
RUEHKT/AMEMBASSY KATHMANDU 0299  
RUEHNE/AMEMBASSY NEW DELHI 0893  
RUEHGV/USMISSION GENEVA 0994  
RUCNDT/USMISSION USUN NEW YORK 0137  
RUEKJCS/SECDEF WASHINGTON DC  
RHEFDIA/DIA WASHDC  
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C O N F I D E N T I A L TASHKENT 000210

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DEPT FOR SCA/CEN AND DRL

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TAGS: [PHUM](#) [KIRF](#) [PGOV](#) [UZ](#)

SUBJECT: MIXED PICTURE ON AMNESTIES FOR PROTESTANTS

REF: A. TASHKENT 126

[B](#). 07 TASHKENT 1605

[C](#). TASHKENT 152

Classified By: POLOFF R. FITZMAURICE FOR REASONS 1.4 (B, D)

[1](#)1. (C) Summary: In contrast to several recent amnesties of human rights defenders, the government recently refused to amnesty imprisoned Pentecostal Pastor Dmitry Shestakov. On the other hand, authorities recently amnestied two other Protestants, Salavat Serikbayev and Nikolai Zulfikarov, who had been convicted of teaching religion illegally and given suspended sentences in 2007. On February 11, poloff had an opportunity to speak with Serikbayev at the Embassy, who described how police frequently detained and fined his fellow Pentecostal congregants in Karakalpakstan. Unlike the human rights defenders who were recently amnestied, Shestakov's name was not included on a list the EU submitted last year to the government, and we should now consider submitting our own list of political prisoners to the GOU which includes individuals like Shestakov who were imprisoned because of their religious beliefs. End summary.

GOU REFUSES TO AMNESTY PASTOR DMITRY SHESTAKOV...

[1](#)2. (C) Authorities refused to extend the December 2007 amnesty to imprisoned Pentecostal Pastor Dmitry Shestakov after receiving a written request to do so from his lawyer. Poloff was given a copy of the written response from the Andijon province prosecutor's office to the lawyer, Nail Gabdullin. The response stated that Shestakov was refused amnesty for violating unspecified prison regulations (Comment: Authorities frequently contrive for political prisoners to violate prison regulations in order to make them ineligible for the annual amnesty. End comment.) During an earlier meeting with poloff on January 25, Gabdullin told poloff that he initially received a more positive response from authorities regarding the amnesty request and expressed optimism that Shestakov would be amnestied (ref A).

13. (C) In March 2007, the Andijon Province Criminal Court convicted Shestakov on politically-motivated charges of organizing an illegal religious group, inciting religious hatred, and distributing religious extremist literature and sentenced him to four years' imprisonment. After another trial in May 2007, Shestakov was transferred to a harsher labor camp in Navoi province. According to Gabdullin, Shestakov's wife is able to periodically to visit her husband, whose health has reportedly stabilized. Though Andijon was once home to at least four Protestant congregations, there are reportedly no Protestant pastors remaining in the city. After Shestakov's conviction, the last remaining Andijon pastor, Bakhtiyor Tuychiev, fled Uzbekistan in the summer of 2007 and applied for asylum through the UN High Commissioner for Refugees Office in Kyiv, where he currently remains (ref B).

...BUT AMNESTIED PROTESTANTS SERIKBAYEV AND ZULFIKAROV  
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14. (C) Recently, authorities amnestied two other Protestants, Salavat Serikbayev and Nikolai Zulfikarov, who had been convicted of teaching religion illegally in 2007. Serikbayev was arrested along with 17 other worshipers after police raided a Pentecostal church service held in a private home in Nukus. In May, Serikbayev was convicted on criminal charges of teaching religion illegally and sentenced to one year of corrective labor (Note: Individuals sentenced to corrective labor are not imprisoned, but are usually obliged to hand over 20 percent of their earnings to the state for the length of the sentence. If individuals are unemployed, it is unclear whether authorities can force them to work. End note.) He was amnestied on January 5, 2008. Zulfikarov, the leader of a small unregistered Baptist church in the Khalkabad region of Namangan province, was sentenced in November 2007 to two years of corrective labor by the Pap District Criminal Court in Namangan province for teaching religion illegally. Zulfikarov was amnestied by the Namangan province Criminal Appeal Court on December 27, 2007.

15. (U) In 2007, Forum 18's website reported extensively on the cases of Shestakov, Zulfikarov and Serikbayev. Serikbayev's story was also covered by the website of Inspire Magazine ([www.inspiremagazine.uk](http://www.inspiremagazine.uk)), which reports that Serikbayev was sentenced to seven years' imprisonment in 1999 for conducting Bible studies, performing baptisms, and having Christian books at his home. In 2006, he was arrested again for conducting unspecified religious activities in Karakalpakstan, and was sentenced to two years' corrective labor, later reduced to one year. In addition, Serikbayev's video testimony is included on the website of Release International ([www.releaseinternational.org](http://www.releaseinternational.org)).

16. (C) On February 11, poloff met with Serikbayev at the Embassy, who described how his fellow congregants were frequently detained by police in Karakalpakstan. Serikbayev said that the other 17 individuals arrested with him in Nukus in January 2006 were all convicted in eight separate trials between January and May 2007 and given fines. Serikbayev speculated that he alone received the harsher corrective labor sentence because he had been convicted several times before and also is one of the main leaders of the Pentecostal church in Karakalpakstan. Before his recent amnesty, Serikbayev fulfilled his corrective labor sentence by working at a local store and paying 20 percent of his earnings to the state. At one point, he was forced to plant trees in the desert for the local forestry service, but this only lasted for about a week.

17. (C) Serikbayev lives in the town of Muynak and serves there as a pastor for an unregistered 300-person congregation, as well as for an unregistered 600-person congregation in the town of Kungrad, about 100 kilometers from Muynak. He said that his congregants were frequently detained and fined by police, noting that seven of them in Muynak had been recently detained for holding a prayer service at a local home (Note: Unregistered churches in

Uzbekistan rarely have their own houses of worship, but instead are usually forced to meet in private residences or other locations. End note.) As police often raided services held in private homes, Serikbayev said that his church usually tried to keep a lower profile by meeting in local cafes or in the desert outside of town.

COMMENT

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18. (C) The GOU's refusal to amnesty Shestakov highlights the importance of Western governments advocating on individual human rights cases. Since the New Year, authorities have amnestied several high-profile human rights activists. Almost all of these cases were included on a list that the EU submitted to the GOU ahead of their last annual dialogue on human rights issues in May 2007. The list was mostly made up of human rights defenders who have been imprisoned, given suspended sentences or harassed by authorities. However, the list does not include religious prisoners like Shestakov. Though authorities amnestied both Serikbayev and Zulfikarov, they faced less serious charges than Shestakov and were never imprisoned. In addition to Shestakov, at least one other Christian, Jehovah's Witness Irfan Hamidov, was imprisoned in 2007 for teaching religion illegally. In order to bring more pressure to bear on the GOU in such cases, it now may make sense for the United States to present its own list of political prisoners to the GOU that would include individuals on the EU list, like Shestakov and Hamidov, who were persecuted because of their religious beliefs.

19. (C) The refusal of authorities to amnesty Shestakov is not necessarily the last word in the matter, as authorities initially told journalist and ex-Human Rights Watch staffer Umida Niyazova that she would not be amnestied in December before she was eventually amnestied in February (ref C). According to Open Dialogue Director Mjusa Sever, the government is planning to hold another amnesty in March to coincide with the Navruz holiday (ref A). It is possible that Shestakov, as well as other individuals, including imprisoned human rights activist Mutabar Tojiboyeva, could be included in that amnesty, which would be conveniently held right before the EU meets again at the end of April to review sanctions against Uzbekistan. However, the track record suggests that the GOU is less likely to amnesty individuals like Shestakov unless Western governments advocate strongly on his behalf, such as by including him on a list of political prisoners to be submitted to the government.

NORLAND